

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, the specification and claims 5, 7, 8, 13 and 15 have been amended. Claims 1-18 are pending and under consideration.

### **CLAIM REJECTIONS – 35 USC 112**

Claims 5-8 and 13-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Appropriate correction to claims 5, 7, 8, 13 and 15 has been made in the Proposed Amendment. Specifically, in claims 5, 7, 13 and 15 the term “fixed end” has been changed to “fixed portion” for the purpose of clarity and further in order to be consistent with Figure 5. The specification was also amended to reflect this change. Regarding claim 8, claim 8 has been amended to recite that the power supply terminals are on a back of the heater.

Withdrawal of the foregoing rejection is requested.

### **CLAIM REJECTIONS – 35 USC 103**

Claims 1-7, 9-15, 17 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Palmer et al. (US 2,778,912) (hereinafter “Palmer”) in view of Bonzagni et al. (US 2,030,047) (hereinafter “Bonzagni”) or Wachtel (US 3,074,342) (hereinafter “Wachtel”).

Claims 8 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Palmer or Bonzagni and further in view of Dundon (US 4,450,343) (hereinafter “Dundon”).

#### **Claims 1-8**

Claim 1 recites: “...at least one elastic mounting unit to mount the heater on the reflecting plate through an elastic deformation thereof.” The Office Action relies on Palmer to supply this feature of claim 1. However, in contrast to claim 1, Palmer discusses reverse bent projections 44, 45 that hold vertically spaced insulating strips 42, 43 formed of a heat resistant material such as mica. The strips 42, 43 contain openings 46, 47 for the reception of a heater wire 48 that is threaded through the openings 46, 47. It is not discussed that the bent projections 44, 45 are elastic and further, it is clear from the drawings and specification of Palmer that the heating wire 48 and strips 42, 43 (which form the unit 35 and roughly correspond to the heater of claim 1) are not mounted by only the reverse bent projections 44, 45 but further held in place by flanges 39 and 41.

The elastic mounting unit recited in claim 1 allows a heater to be assembled to a cooking unit in a simple manner, thereby reducing an assembly time of the cooking apparatus and consequently improving an efficiency of production. Palmer does not discuss such a mounting unit as is recited in claim 1 but rather discusses a compound structure for securing a heating wire 48 suspended between two strips 42, 43. The other references relied on by the Examiner, Bonzagni and Wachtel, further do not discuss this feature of claim 1.

Claims 2-8 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reason. Further, claims 2-8 discuss features that patentably distinguish over Bonzagni, Wachtel and Dundon, taken alone or in combination. For example, claim 2 recites at least one pair of elastic parts, the elastic parts each having a fixed end that is fixed to the reflecting plate and a free end that is elastically movable, the heater being held between the free ends of the pair of elastic parts through an elastic deformation of the free ends of the pair of elastic parts. None of the cited references discusses elastic parts for securing the heater.

Withdrawal of the foregoing rejection is requested.

#### **Claims 9-18**

Claim 9 recites: "...a plurality of elastic mounting units to mount the respective heaters on the respective plates through an elastic deformation thereof." The Office Action relies on Palmer to supply this feature of claim 9. However, in contrast to claim 9, Palmer discusses reverse bent projections 44, 45 that hold vertically spaced insulating strips 42, 43 formed of a heat resistant material such as mica. The strips 42, 43 contain openings 46, 47 for the reception of a heater wire 48 that is threaded through the openings 46, 47. It is not discussed that the bent projections 44, 45 are elastic and further, it is clear from the drawings and specification of Palmer that the heating wire 48 and strips 42, 43 (which form the unit 35 and roughly correspond to the heaters of claim 9) are not mounted by only the reverse bent projections 44, 45 but further held in place by flanges 39 and 41.

The plurality of elastic mounting units recited in claim 9 allow heaters to be assembled to a cooking unit in a simple manner, thereby reducing an assembly time of the cooking apparatus and consequently improving an efficiency of production. Palmer does not discuss such a mounting unit as is recited in claim 1 but rather discusses a compound structure for securing a heating wire 48 suspended between two strips 42, 43. The other references relied on by the Examiner, Bonzagni and Wachtel, further do not discuss this feature of claim 9.

Claims 10-18 depend on claim 9 and are therefore believed to be allowable for at least the foregoing reason. Further, claims 10-18 discuss features that patentably distinguish over Bonzagni, Wachtel and Dundon, taken alone or in combination. For example, claim 10 recites at least one pair of elastic parts, the elastic parts each having a fixed end that is fixed to the respective reflecting plate and a free end that is elastically movable, the respective heater being held between the free ends of the pair of elastic parts through an elastic deformation of the free ends of the pair of elastic parts. None of the cited references discusses elastic parts for securing the heater.

Withdrawal of the foregoing rejection is requested.

### CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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